

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

ANA ROSA OLIVELLA RIVERA

Plaintiff

Vs.

POPULAR LEASING AND RENTAL INC.;

Banco Popular De PR and Their Unknown

Insurance Companies Named Herein

“Popular Leasing Insurance, Co.” and

Puerto Rico American Insurance, Co. (PRAICO)

Defendants

* CIVIL NUMBER: 98-2267

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* CREDIT COLLECTION

* DAMAGES

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* TRIAL BY JURY REQUESTED

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MOTION REQUESTING LEAVE

TO THE HONORABLE COURT:

COMES NOW plaintiff through the undersigned attorney and respectfully alleges and pray:

1. On October 20, 2005, co-Defendant filed a amended motion for summary judgment, whereby it seeks to amends the motion filed on September 23, 2005, with a motion to Dismiss Pursuant to FRCP 12 (b) (6) for Lack of Subject Matter Jurisdiction and/or Summary Judgment.
2. In the motion filed on October, 2005, the Honorable Court granted until November28, 2005 file a response and/or opposition. It show be recalled that undersigned was in vacation from October to November,

2005 and therefore requested permission to file its response to November 28, 2005.

3. Because both motions are related and therefore Plaintiff needs to be address jointly, Plaintiff respectfully request that the September 23, 2005 motion be answered jointly with the October 20, 2005 motion; and therefore avoid confusion between these two motions and also husband the limited time and resources Plaintiff's attorney has.

RESPECTFULLY REQUEST.

I CERTIFY that on this same date I have filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: David López Pumarejo, Esq. & Lcdo. José R. Diaz Ríos, Esq., Alexis D. Mattei, Esq., Lcda. Dagmar Adorno, Esq., Pérez Pietri & Díaz Ríos.

In Caguas, Puerto Rico, this November 14, 2005.

s/Rafael A. Oliveras López de Victoria
Rafael A. Oliveras López De Victoria
Attorney for Plaintiffs
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